

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

IN RE: ETHICON, INC.

PELVIC REPAIR SYSTEMS  
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

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THIS DOCUMENT RELATES TO THE CASE(S)  
ON THE EXHIBIT ATTACHED HERETO.

**ORDER TO DISMISS DEFENDANTS WITHOUT PREJUDICE  
(PURSUANT TO PTO NO. 293 AS AMENDED BY PTO NO. 298 – NON-REVISION  
GYNECARE PRODUCTS)**

Pursuant to Pretrial Order No. 293 as Amended by PTO No. 298 (hereinafter collectively referred to as the “Non-Revision PTOs”), the plaintiffs (and all derivative plaintiffs), listed on the attached Exhibit A have agreed to dismiss Ethicon, Inc., Johnson & Johnson and Ethicon, LLC<sup>1</sup> (hereinafter referred to as the “Ethicon defendants”) without prejudice. The plaintiffs listed on the attached Exhibit A have filed an Election Form electing to “[d]ismiss [their] presently pending case without prejudice subject to the waiver provisions” in the Non-Revision PTOs. **For the cases listed on the attached exhibit, dismissal without prejudice applies to the Ethicon defendants only.**

The court **ORDERS** that the Ethicon defendants are **DISMISSED WITHOUT PREJUDICE** pursuant to the provisions of the Non-Revision PTOs and, in any case on Exhibit A where the Ethicon defendants are the only remaining defendants, the case is **STRICKEN** from

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<sup>1</sup> As used herein, “Ethicon Defendants” refers collectively to Johnson & Johnson, Ethicon LLC, Ethicon, Inc., as well as any of its former or present parent companies, subsidiaries, affiliated companies, directors, officers, design surgeons, employees, distributors, detail representatives named in an action pending in MDL No. 2327.

the active docket. The court further **ORDERS** that for any case listed on Exhibit A that resides in the Ethicon MDL and names other MDL defendants other than the Ethicon defendants, plaintiffs shall file a Motion to Transfer MDLs within **four (4) weeks** of the entry of this Order.

The court **DIRECTS** the Clerk to file a copy of this order in MDL No. \_\_\_\_\_ and in each case listed on the attached Exhibit(s) and to send a copy of this Order to counsel of record and any unrepresented party. The Clerk is further **DIRECTED** to link this Order to the Proposed Order to Dismiss filed at ECF No. \_\_\_\_.

ENTER:

**Exhibit A**

Daniels	2:11-cv-00054
Fonteno	2:12-cv-00131
Middlebrook	2:12-cv-00396
Thurston	2:12-cv-00505
Shushan	2:12-cv-00827
Bell	2:12-cv-01104
Jacobson	2:12-cv-01232
Long	2:12-cv-01275
Hamilton	2:12-cv-01491
Martin	2:12-cv-01495
Toczek	2:12-cv-01508
Harper	2:12-cv-01567
Smith	2:12-cv-01623
Hutchison	2:12-cv-01711
Parker	2:12-cv-01744
Hays	2:12-cv-01855
Manor	2:12-cv-02137
Pitts	2:12-cv-02144
Miller	2:12-cv-02187
Pridmore	2:12-cv-02190
Ward	2:12-cv-02198
Brown	2:12-cv-02220
Wilkins	2:12-cv-02280
Conley	2:12-cv-02315
Colburn	2:12-cv-02359
Dierickx	2:12-cv-02385
Williams	2:12-cv-02530
Thorpe	2:12-cv-02546
Dotson	2:12-cv-02633
Holman	2:12-cv-02769
Frazier	2:12-cv-02843
Sweeney	2:12-cv-02887
Blake	2:12-cv-02943
Booher	2:12-cv-03076
Ludwig	2:12-cv-03093
Brower	2:12-cv-03113
Webb-Henson	2:12-cv-03123
Woosley	2:12-cv-03145
Powell	2:12-cv-03148

Walker	2:12-cv-03166
Welch-Stamey	2:12-cv-03202
Ocker	2:12-cv-03227
Heidel	2:12-cv-03236
Plahmer	2:12-cv-03241
Kirkman	2:12-cv-03354
Farmer	2:12-cv-03377
Donelly-Rogers	2:12-cv-03538
Watkins	2:12-cv-03578
Harvell	2:12-cv-03586
Farrar	2:12-cv-03596
Hudson	2:12-cv-03674
Galarza	2:12-cv-03998
Schmitt	2:12-cv-04013
Thate	2:12-cv-04144
Earp	2:12-cv-04238
Zeagler	2:12-cv-04250
Brown	2:12-cv-04273
Lewis	2:12-cv-04474
Ellis	2:12-cv-04523
Watters	2:12-cv-04539
Breeden	2:12-cv-04658
Kimsey	2:12-cv-04814
Gaines	2:12-cv-04844
Hodge	2:12-cv-04847
Green	2:12-cv-04851
Barnes	2:12-cv-04853
Layfield	2:12-cv-04918
Conklin	2:12-cv-04925
Crespin	2:12-cv-05004
Husted	2:12-cv-05024
Pascual	2:12-cv-05032
Smith	2:12-cv-05036
Rosen	2:12-cv-05068
Henry	2:12-cv-05179
Emerich	2:12-cv-05328
Oliver	2:12-cv-05467
Newton	2:12-cv-05517
Robinson	2:12-cv-05573
Carcione	2:12-cv-05657
Surcey	2:12-cv-05668

Harthcock	2:12-cv-05706
Harper	2:12-cv-05714
Parks	2:12-cv-05724
Roath	2:12-cv-05841
Sabatino	2:12-cv-05843
Carmichael	2:12-cv-05859
Vernados-James	2:12-cv-06061
Mortensen	2:12-cv-06101
Lawrence	2:12-cv-06183
Tatsis	2:12-cv-06286
Lemaire	2:12-cv-06316
Timmerman	2:12-cv-06329
Munoz	2:12-cv-06371
Becker	2:12-cv-06382
Brown	2:12-cv-06508
Flynn	2:12-cv-06510
Jonus	2:12-cv-06511
Rabon	2:12-cv-06514
Remy	2:12-cv-06515
Kincaid	2:12-cv-06560
Taylor	2:12-cv-06566
Marshall	2:12-cv-06633
Burroughs	2:12-cv-06635
Pelletier	2:12-cv-06664
Roberts	2:12-cv-06666
Exantus	2:12-cv-06668
Roof	2:12-cv-06683
Rygh	2:12-cv-06685
Barnes	2:12-cv-06737
Thompson	2:12-cv-06769
Newman	2:12-cv-06796
Myers	2:12-cv-07021
Cook	2:12-cv-07113
Duke	2:12-cv-07211
Davis	2:12-cv-07237
Ball	2:12-cv-07415
Montney-Mason	2:12-cv-07454
Evans	2:12-cv-07472
Phillips	2:12-cv-07480
Buckler-Dollins	2:12-cv-07507
Coffey	2:12-cv-07620

Barber	2:12-cv-07720
Altheide	2:12-cv-07770
Pierel	2:12-cv-07822
Wilson	2:12-cv-07905
Chauvaux	2:12-cv-07906
Neuhaus	2:12-cv-07934
Lim	2:12-cv-07975
Cortez	2:12-cv-07984
Adams	2:12-cv-07990
Smith	2:12-cv-08025
DuBois	2:12-cv-08070
McCumber	2:12-cv-08083
McClinsey	2:12-cv-08114
Rasmussen	2:12-cv-08129
Walker	2:12-cv-08162
Justice	2:12-cv-08191
Sorrells	2:12-cv-08195
Shoffner	2:12-cv-08237
McDaniel	2:12-cv-08250
Sullivan	2:12-cv-08365
Fenner	2:12-cv-08406
Lockaby	2:12-cv-08467
Martin	2:12-cv-08519
Davis	2:12-cv-08561
Lughas	2:12-cv-08776
Tackett	2:12-cv-08826
Ayers	2:12-cv-08863
Bevis	2:12-cv-08867
Campbell	2:12-cv-08873
Drye	2:12-cv-08877
Hurst	2:12-cv-08885
Stewart	2:12-cv-08939
Gardner	2:12-cv-08952
Searcy	2:12-cv-08953
Nobles	2:12-cv-08955
Cohen	2:12-cv-08988
Barnes	2:12-cv-09025
Dixon	2:12-cv-09038
Jeffers	2:12-cv-09092
Whitmire	2:12-cv-09099
Flaherty	2:12-cv-09100

Martin	2:12-cv-09113
Adams	2:12-cv-09146
McCarley	2:12-cv-09152
Williamson	2:12-cv-09156
Williams	2:12-cv-09157
Lewis-Ramsey	2:12-cv-09158
Kessler	2:12-cv-09159
Yancy	2:12-cv-09168
Martinez	2:12-cv-09170
Holley	2:12-cv-09171
Croft	2:12-cv-09191
Daniels	2:12-cv-09249
Caballero	2:12-cv-09294
Bryant	2:12-cv-09311
Gibson	2:12-cv-09317
Oslin	2:12-cv-09350
Hanekamp	2:12-cv-09359
Watkins	2:12-cv-09365
Dollar	2:12-cv-09366
Mortenson	2:12-cv-09382
Rindler	2:12-cv-09461
Miller	2:12-cv-09488
Diaz	2:12-cv-09491
Cass	2:12-cv-09500
Louisy	2:12-cv-09516
Hotelling	2:12-cv-09524
Clinger	2:12-cv-09581
Ames	2:12-cv-09636
Midtun	2:12-cv-09638
Santana	2:12-cv-09640
Beckman	2:12-cv-09648
Beason	2:12-cv-09649
Douglas	2:12-cv-09650
Herb	2:12-cv-09683
Herman	2:12-cv-09720
Blake	2:12-cv-09722
Freck	2:12-cv-09724
Duvall	2:12-cv-09732
Furley	2:12-cv-09753
Anderson	2:12-cv-09757
Iquinto	2:12-cv-09765

Hollyfield	2:12-cv-09842
Jacobson	2:12-cv-09867
Cotton	2:12-cv-09893
Lopez	2:12-cv-09896
Thurlby	2:12-cv-09935
Pierce	2:13-cv-00060
Turner	2:13-cv-00161
Ahlstrom	2:13-cv-00187
Shellady	2:13-cv-00220
Snyder	2:13-cv-00491
Atwood	2:13-cv-00497
Williams	2:13-cv-00499
Graham	2:13-cv-00505
Reed	2:13-cv-00532
Courtney	2:13-cv-00645
Eller	2:13-cv-00659
Grammer	2:13-cv-00670
Mottram	2:13-cv-00705
Hunter	2:13-cv-00711
Disch	2:13-cv-00732
Lucas	2:13-cv-00816
Thompson	2:13-cv-00839
Blank	2:13-cv-00887
Clide	2:13-cv-00982
Cardwell	2:13-cv-01016
Rewis	2:13-cv-01042
Moore	2:13-cv-01043
Gallup	2:13-cv-01080
Green	2:13-cv-01090
Elder	2:13-cv-01128
Walker	2:13-cv-01286
Hoxsey	2:13-cv-01292
Hall	2:13-cv-01305
Willard	2:13-cv-01331
Steiger	2:13-cv-01358
Ham	2:13-cv-01462
Wing	2:13-cv-01464
Bolden	2:13-cv-01465
Ware	2:13-cv-01500
Dunnehoo	2:13-cv-01501
Delcambre	2:13-cv-01503



McFarlain	2:13-cv-01508
Evans	2:13-cv-01521
Dunson	2:13-cv-01530
Tuggle	2:13-cv-01548
Smith	2:13-cv-01592
Dixon	2:13-cv-01596
Sunderman	2:13-cv-01609
Reus	2:13-cv-01613
Fuentes	2:13-cv-01708
Beavers	2:13-cv-01770
Kennedy	2:13-cv-01797
McEachin	2:13-cv-01938
Agorchukwu	2:13-cv-01946
Rogers	2:13-cv-01953
Nielsen	2:13-cv-01977
Baker	2:13-cv-01985
Garcia	2:13-cv-01992
Herrara	2:13-cv-02026
Bradley	2:13-cv-02058
Wong	2:13-cv-02156
Beltran	2:13-cv-02195
Hursman	2:13-cv-02209
Devane	2:13-cv-02231
Metzel	2:13-cv-02240
Atchley	2:13-cv-02252
Black	2:13-cv-02272
Grassie	2:13-cv-02350
Sullivan	2:13-cv-02383
Muniz-Diaz	2:13-cv-02385
McGregor	2:13-cv-02392
Kelleher	2:13-cv-02471
Rhodes	2:13-cv-02480
Hawks	2:13-cv-02509
Jock	2:13-cv-02540
Barnes	2:13-cv-02550
Gendron	2:13-cv-02612
Burger	2:13-cv-02626
Young	2:13-cv-02642
Perez	2:13-cv-02648
Watson	2:13-cv-02663
Gilbert	2:13-cv-02672

Cook	2:13-cv-02676
Manley	2:13-cv-02731
Stone	2:13-cv-02772
Cantrell	2:13-cv-02776
Tagliavento	2:13-cv-02836
Martin	2:13-cv-02883
Scales	2:13-cv-02916
Pascoe	2:13-cv-03067
Devereaux	2:13-cv-03086
Matallana	2:13-cv-03087
Fowler	2:13-cv-03154
Larson	2:13-cv-03220
Standerfer	2:13-cv-03231
Cate	2:13-cv-03255
Carter-Shotts	2:13-cv-03285
Curry	2:13-cv-03287
Gerhardt	2:13-cv-03397
Mullins	2:13-cv-03401
Mueller	2:13-cv-03435
Gallagher	2:13-cv-03460
Stinson	2:13-cv-03490
Banning	2:13-cv-03491
Eldfrick	2:13-cv-03494
McCreight	2:13-cv-03521
Ervin	2:13-cv-03532
Patrick	2:13-cv-03535
Adams	2:13-cv-03544
Haller	2:13-cv-03632
Lubeski	2:13-cv-03658
Gaston	2:13-cv-03706
Prentiss	2:13-cv-03707
Hester	2:13-cv-03733
Tannery	2:13-cv-03738
Garcia	2:13-cv-03784
Seabolt	2:13-cv-03807
Redl	2:13-cv-03822
Cervantes	2:13-cv-03823
Cruz	2:13-cv-03826
Phillips	2:13-cv-03836
Rice	2:13-cv-03861
Malo	2:13-cv-03895

Luck	2:13-cv-03917
Goodwin	2:13-cv-03934
Nicely	2:13-cv-03940
Mraz	2:13-cv-03960
Kocsis	2:13-cv-03964
Burk	2:13-cv-04111
Paulausky	2:13-cv-04134
Germano	2:13-cv-04136
Whitehouse	2:13-cv-04144
Sanchez	2:13-cv-04204
Vergara	2:13-cv-04207
Viets	2:13-cv-04238
Barkley	2:13-cv-04256
Varela	2:13-cv-04260
Moten	2:13-cv-04295
Clements	2:13-cv-04321
Medeiros	2:13-cv-04330
Powell	2:13-cv-04333
Sullivan	2:13-cv-04358
Johnston	2:13-cv-04397
Toohey	2:13-cv-04408
Hart	2:13-cv-04542
Forrey	2:13-cv-04697
Marty	2:13-cv-04822
Ward	2:13-cv-04900
Kell	2:13-cv-04903
Tilbanie	2:13-cv-04906
Brown	2:13-cv-04915
Glazer	2:13-cv-04978
Quiroga	2:13-cv-05010
Brantley	2:13-cv-05063
Collins	2:13-cv-05068
Ketola	2:13-cv-05112
Mitchell	2:13-cv-05185
Hinson	2:13-cv-05215
Heartfield	2:13-cv-05235
Maynard	2:13-cv-05333
Evartt	2:13-cv-05353
Simmons	2:13-cv-05405
Cordova	2:13-cv-05618
Murray	2:13-cv-05656

Rackley	2:13-cv-05829
Slocum	2:13-cv-05831
Cox-Windham	2:13-cv-05842
Borden	2:13-cv-05895
Kjersgaard	2:13-cv-05901
Seaver	2:13-cv-05908
Gleaves	2:13-cv-05931
Phillipy	2:13-cv-05934
Stinnett	2:13-cv-05938
Kirby	2:13-cv-05944
Flinn	2:13-cv-05974
Barnett	2:13-cv-05996
Curry	2:13-cv-06003
Covey	2:13-cv-06068
Williams	2:13-cv-06076
Herb	2:13-cv-06086
Herr	2:13-cv-06087
Hathhorn	2:13-cv-06149
Massey	2:13-cv-06195
Uihlein	2:13-cv-06212
Gatsoulas	2:13-cv-06225
Turcotte	2:13-cv-06229
Massey	2:13-cv-06255
Zollo	2:13-cv-06294
Morrison	2:13-cv-06296
Castle	2:13-cv-06374
Eubanks	2:13-cv-06382
Worsham	2:13-cv-06390
Fisher	2:13-cv-06432
Blake	2:13-cv-06456
Stevens	2:13-cv-06459
Spillman	2:13-cv-06485
Warner	2:13-cv-06515
Dudley	2:13-cv-06518
Mann	2:13-cv-06533
Carver	2:13-cv-06536
Seymour	2:13-cv-06558
Daniels	2:13-cv-06626
Jones	2:13-cv-06628
Stuchel	2:13-cv-06694
Katz	2:13-cv-06712

Taylor	2:13-cv-06722
Boyd	2:13-cv-06725
Quintana	2:13-cv-06770
Secrest	2:13-cv-06771
Cerenzio	2:13-cv-06857
Stewart	2:13-cv-06875
Flores	2:13-cv-06894
Rhoades	2:13-cv-06956
Powell	2:13-cv-07025
Brashier	2:13-cv-07049
Pence	2:13-cv-07077
Partee	2:13-cv-07093
Berry	2:13-cv-07174
Lewis	2:13-cv-07192
Michel	2:13-cv-07196
Lopez	2:13-cv-07199
Rainey	2:13-cv-07205
James	2:13-cv-07208
Maldonado	2:13-cv-07209
McIntyre	2:13-cv-07283
Johnson	2:13-cv-07316
Robinson	2:13-cv-07337
Wade	2:13-cv-07377
Miller	2:13-cv-07427
Green	2:13-cv-07485
Sandoval	2:13-cv-07639
Bevis	2:13-cv-07646
Dailey	2:13-cv-07665
Bronte	2:13-cv-07680
Graham	2:13-cv-07767
Ivy	2:13-cv-07768
Goldin	2:13-cv-07773
Samora	2:13-cv-07822
Hering	2:13-cv-07827
Ladd	2:13-cv-07829
Austin	2:13-cv-07852
Ruiz	2:13-cv-07966
Duffel	2:13-cv-07979
Crocker	2:13-cv-07981
Engel	2:13-cv-07983
Jouben	2:13-cv-07985

Uhde	2:13-cv-07989
Reed	2:13-cv-07998
Hill	2:13-cv-08015
Creeks-Singleton	2:13-cv-08029
Barrymore	2:13-cv-08055
Vanliere	2:13-cv-08065
Pickering	2:13-cv-08082
Rediker	2:13-cv-08084
Hendrickson	2:13-cv-08115
Thomas	2:13-cv-08120
Maas	2:13-cv-08237
Soles	2:13-cv-08266
Tarvin	2:13-cv-08271
Wheeler	2:13-cv-08292
Trujillo	2:13-cv-08333
Bean	2:13-cv-08609
Bentley	2:13-cv-08611
Colon	2:13-cv-08612
Evans	2:13-cv-08613
Greaver	2:13-cv-08614
Lee	2:13-cv-08616
Terrell	2:13-cv-08619
Thorpe	2:13-cv-08620
Paruszkiewicz	2:13-cv-08630
Brown	2:13-cv-08640
Reid	2:13-cv-08668
Glenn	2:13-cv-08676
Blake	2:13-cv-08687
Johnson	2:13-cv-08730
Nelson	2:13-cv-08733
Powell	2:13-cv-08763
Vanhooose	2:13-cv-08910
Guido	2:13-cv-08911
Morales	2:13-cv-08959
McDonald	2:13-cv-08968
Lockhart	2:13-cv-08969
Lay	2:13-cv-08998
Read	2:13-cv-09123
Kaplowitz	2:13-cv-09129
Sweet-Green	2:13-cv-09143
Burdette	2:13-cv-09212

Canole	2:13-cv-09240
Ervin	2:13-cv-09246
McMurray	2:13-cv-09265
Depew	2:13-cv-09266
Hagerman	2:13-cv-09289
Sawicki	2:13-cv-09298
Webster	2:13-cv-09306
Jones	2:13-cv-09311
Zuckerman	2:13-cv-09312
Suiter	2:13-cv-09320